

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re Lion Air Flight JT 610 Crash

Lead Case: 1:18-cv-07686

Honorable Thomas M. Durkin

This filing applies to
All Cases

**THE BOEING COMPANY'S UPDATED STATUS REPORT ON
REMAINING INDIVIDUAL ACTIONS**

The first mediations in these cases were held less than one year ago. In that year, despite the COVID-19 pandemic, more than 90% of the potential wrongful death claims arising from the loss of Lion Air Flight JT 610 have settled. In all, claims relating to 171 of the 189 people on board the aircraft have fully or partially settled,¹ including 140 of the 150 claims filed in this Court. The plaintiffs and Boeing continue to discuss settlement on the remaining claims, and have additional mediations scheduled. Boeing is optimistic that those discussions will lead to additional settlements of some, if not all, of the remaining claims.

As a result of the parties' efforts and the Court's review of the settlements involving minors, 109 of the 150 claims filed in this Court have been dismissed. Boeing expects additional motions and stipulations to be filed in the near future for the other 31 filed claims have been fully or partially settled.

As requested by the Court, Boeing hereby provides an updated report on the number and status of the remaining individual actions.

¹ Five of the settlements are partial settlements, where some of the potential claimants for a given decedent have settled while other potential claimants have not yet settled. This occurred in certain instances where a given decedent's potential claimants are represented by multiple law firms, and those firms and/or their clients could not cooperate to settle the claim together. The remaining 166 settlements are settlements in full.

Background

In May 2019, the Plaintiffs and Boeing committed to negotiate in good faith to settle these claims for full compensatory damages under the applicable law as assessed based on the facts and circumstances of each case. May 17, 2019 Joint Case Management Report at 1. The Court adopted the parties' proposal and struck all pending deadlines in the litigation to allow the settlement negotiations and mediations to proceed. May 20, 2019 Docket Entry. The parties then began mediating with the assistance of mediator Hon. Donald O'Connell, former Chief Judge of the Circuit Court of Cook County. The first mediation was held on July 16, 2019. The parties have made substantial progress resolving claims over the past year, including in the last few months as the parties have engaged in virtual mediations due to the COVID-19 pandemic.

Status of Individual Actions

It is difficult to clearly and succinctly summarize the status of all of the individual Lion Air actions and claims, given the large numbers of actions (with often duplicative filings), the large number of unfiled claims that are also being resolved through mediation, the ongoing settlement discussions, and the methodical process by which the settlements are finalized. Detailed information on the filed cases is provided below, but the following charts provide a high-level summary of the status of the claims brought in the litigation.

By Action	
Dismissed	43
Expected to be Dismissed	24
Remaining	10
Total	77

By Decedent	
Fully Settled	137
Partially Settled	3
Fully Unsettled	10
Total	150

To date, 77 individual actions arising out of the October 29, 2018 accident involving Lion Air Flight JT 610 have been filed in or removed to this Court. The complaints in these actions assert wrongful death and other claims on behalf of 150 different decedents out of the 189 people who were on board the accident aircraft.² Of the 150 claims filed in this Court, 140 have fully or partially settled and are at various stages of being finalized, as discussed below.

The claims relating to 109 decedents have been settled and fully dismissed, either as a result of a stipulation of dismissal or a motion for approval of the settlement. These stipulations and motions resulted in full dismissal of 43 of the 77 actions filed so far, leaving 34 individual actions that are currently open. A list of those 34 actions follows below. The 34 open actions involve claims on behalf of 41 different decedents.

Of the claims for 41 decedents in the open actions, the plaintiffs and Boeing have fully or partially settled the claims for 31 of those decedents. These settlements are in the process of being fully documented. Boeing expects that these settlements will lead to additional stipulations of dismissal and motions for approval of the settlements in the near future. Boeing expects that this process will lead to the full dismissal of 24 of the 34 currently open actions. Boeing is engaged in settlement discussions and/or mediations with plaintiffs' counsel on the remaining filed claims that have not yet settled.

² Although the claims relating to some decedents have been included in multiple, separate actions, there are 150 different, unique decedents represented in the cases filed to date.

Considering all claims without regard to whether the claims have been filed in this Court yet or not, 171 claims have fully or partially settled. The claims for 35 decedents that have not yet been filed with this Court have been presented to Boeing's counsel by various plaintiffs' firms.³ 31 of these 35 unfilled claims have already fully or partially settled. Boeing is engaged in settlement discussions with plaintiffs' counsel on the remaining unsettled, unfilled claims. Boeing expects that many if not all of the 35 currently unfilled claims will eventually be brought before this Court either through amendment of existing complaints or the filing of new actions.

List of Currently Open Actions

CASE NO.	CASE NAME
1:18-cv-07686	In re: Lion Air Flight JT 610 Crash Saputra, et al. v. The Boeing Company
1:18-cv-08006	Satijo v. The Boeing Company
1:19-cv-00622	Gitelson v. The Boeing Company
1:19-cv-00797	Kurniawati v. The Boeing Company
1:19-cv-01552	Chandra v. The Boeing Company
1:19-cv-01588	Ellisa v. The Boeing Company
1:19-cv-01601	Subekti v. The Boeing Company
1:19-cv-01623	Pranata v. The Boeing Company
1:19-cv-01701	Wijaya, et al. v. The Boeing Company
1:19-cv-01712	Sari v. The Boeing Company
1:19-cv-01714	Sari v. The Boeing Company
1:19-cv-01715	Bunarto v. The Boeing Company
1:19-cv-02212	Pratiwi v. The Boeing Company

³ Boeing has not been contacted by counsel with regards to claims for four passengers on board the accident aircraft.

CASE NO.	CASE NAME
1:19-cv-02213	Pratiwi v. The Boeing Company
1:19-cv-02214	Putra v. The Boeing Company
1:19-cv-02240	Kurniawan v. The Boeing Company
1:19-cv-02241	Sulaiman v. The Boeing Company
1:19-cv-02764	Oktaviani, et al. v. The Boeing Company
1:19-cv-02774	Agnes Tjandra, et al. v. The Boeing Company
1:19-cv-02919	Rosanna Simarmata, et al. v. The Boeing Company
1:19-cv-03415	Soegiyono v. The Boeing Company
1:19-cv-04589	Pelealu v. The Boeing Co
1:19-cv-05211	Saroinsong, et al. v. The Boeing Company
1:19-cv-05217	Komar, et al. v. The Boeing Company
1:19-cv-05220	Liyanah, et al. v. The Boeing Company
1:19-cv-05311	Soegiyono v. The Boeing Company
1:19-cv-07091	Smith, et al. v. The Boeing Company, et al,
1:20-cv-02643	Abidin, et al. v. The Boeing Company
1:20-cv-03241	Asdori v. The Boeing Company
1:20-cv-03243	Tashban v. The Boeing Company
1:20-cv-03245	Yana v. The Boeing Company
1:20-cv-03246	Zubandi v. The Boeing Company
1:20-cv-03247	Hartati v. The Boeing Company
1:20-cv-03248	Zen v. The Boeing Company

Conclusion

Over the last year, the vast majority of the Lion Air claims before this Court have settled. Despite the limitations imposed by the COVID-19 pandemic, the parties remain engaged in settlement discussions on the remaining claims and substantial progress continues to be made. Boeing participated in several days of virtual mediations in the last month, resulting in the settlement of a significant number of additional claims. For the as-yet unsettled claims, Boeing in some instances has asked for additional documents or information to support the plaintiffs' damages claims. In others, the parties are continuing to try to negotiate based on the damages information provided by plaintiffs' counsel. The plaintiffs and Boeing, with the assistance of Judge O'Connell, continue to pursue settlement in good faith and have additional mediations scheduled in the coming months. Boeing is optimistic that these efforts will lead to settlement of some or all of the remaining claims.

DATED: July 7, 2020

THE BOEING COMPANY

By: /s/ Mack H. Shultz, Jr.

One of its Attorneys

Bates McIntyre Larson
BLarson@perkinscoie.com
Daniel T. Burley
DBurley@perkinscoie.com
Perkins Coie LLP
131 S. Dearborn, Suite 1700
Chicago, Illinois 60603-5559
Phone: (312) 324-8400
Fax: (312) 324-9400

Mack H. Shultz
MShultz@perkinscoie.com
Gretchen M. Paine
GPaine@perkinscoie.com
Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington 98101-3099
Phone: (206) 359-8000
Fax: (206) 359-9000

CERTIFICATE OF SERVICE

I, Mack H. Shultz, Jr., certify that on July 7, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record. I also certify that I served the foregoing by email to the following attorneys:

Filippo Marchino

fm@xlawx.com

Tom Cassaro

tc@xlawx.com

Thomas Gray

tg@xlawx.com

THE X-LAW GROUP, P.C.

625 Fair Oaks Ave., Suite 390

South Pasadena, CA 91030

Tel: (213) 599-3380

I certify under penalty of perjury that the foregoing is true and correct.

DATED this 7th day of July 2020.

/s/ Mack H. Shultz, Jr.

PERKINS COIE LLP

1201 Third Avenue, Suite 4900

Seattle, Washington 98101-3099

Phone: (206) 359-8000

Fax: (206) 359-9000